



OREGON GOVERNMENT ETHICS COMMISSION

Meeting Minutes

February 6, 2026

9:00 a.m.

Commission Chair Shenoa Payne and Commissioner Jonanthan Thompson were present in person. Commissioners Alicia McAuley, Richard Burke, Iván Resendiz Gutierrez, Ann Metler, and Cheri Helt were present via Teams. Commissioner Peter Janci was excused.

Executive Director Susan Myers, Compliance & Enforcement Coordinator Casey Fenstermaker, Curriculum & Education Coordinator Stephanie Heffner, Senior Operations Mgr. Becky Maison, and Investigators Daniel Pacheco and Josh Sullivan were present in person. Trainers Chris Brubaker, Ruth Sylvester, and Lex Tingey and Admin Staff Molly Putnam and David Hunter were present via Teams.

Department of Justice (DOJ) Counsel Sean Brady was present in person.

Members of the Press, present via Teams: Dianne Lugo, Statesman Journal; Whitney Woodworth, Statesman Journal; Justin Alderman, Prineville Review; Crissy Ewald, Grants Pass Daily Courier; Shaanth Nonguneri, Oregon Capital Chronicle

(File 1)

Chair Payne called the meeting to order at 9:01 a.m. Roll call was completed by Chair Payne to confirm attendance of the Commissioners.

Public Session Item 1, Comments from the Chair. Chair Payne introduced Silas Patterson, the newest Investigator. Patterson commented that he was excited to be at the Oregon Government Ethics Commission. Payne stated that with every meeting there is an opportunity for Commissioners to think of ways to improve process within the Commission.

Public Session Item 2, Comments from the Commissioners. None.

Public Session Item 3, Commissioner Helt stated she would like the minutes for January 9, 2026 to be updated on page 31 with regards to the lobbyist penalty waiver, as she did not mean that she does or does not support their mission but that the foster system is deplorable. Executive Director Myers stated that she could update the minutes as requested.

Commissioner Thompson moved that the Commission approve the Meeting Minutes for December 12, 2025 meeting. Roll call was taken as follows: Helt, nay; McAuley, aye; Resendiz Gutierrez; aye; Thompson, aye; Burke, aye; Melter, aye; Payne, aye. Motion passed. 6-1.

Commissioner Thompson moved that the Commission approve the Meeting Minutes for January 9, 2026 meeting with Helt's requested changes. Roll call was taken as follows: Helt, aye; McAuley, aye; Resendiz Gutierrez; aye; Thompson, aye; Burke, aye; Melter, aye; Payne, aye. Motion passed. 7-0.

Curriculum & Training Coordinator Stephanie Heffner stated that all media were confirmed for the meeting, except for one but it appears that the one in question is not online.

Commissioner Resendiz Gutierrez declared a potential conflict of interest for Executive Session Items #24-31 as the entity is a client of his firm.

Commissioner Richard Burke declared a potential conflict of interest for Executive Session Item #32 and public session item #19, as he served as the Treasurer of the PAC for the campaign seeking to recall Claire Hall.

Chair Payne read the executive session script providing the statutory provisions for the executive sessions to discuss preliminary review.

The Commission convened into Executive Session at 9:13 a.m.
(File 2)

EXECUTIVE SESSIONS

To consider Preliminary Reviews pursuant to the following authorities:

- ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection;
- ORS 244.260(4)(c) and (d), requiring Preliminary Reviews to be kept confidential and requiring the Commission to consider Preliminary Reviews in executive session; and
- ORS 192.685(1), requiring public meetings law complaints to be considered as provided in ORS 244.260, which includes the confidentiality and executive session requirements of ORS 244.260(4)(c) and (d).

EXECUTIVE SESSION CONSENT CALENDAR

The following Public Meetings Law cases have been placed on the executive session consent calendar for dismissal, per ORS 192.685(3), as the complaints did not document that the mandatory grievance process had been satisfied.

None.

Reports of Preliminary Review

Facilitated by Investigators

Executive Session Item 1, 25-722ECF – Greg Smith, Columbia Development Authority (CDA)

Recommendation: Move to Dismiss

Investigator: Casey Fenstermaker

Respondent was not present. Investigator Fenstermaker summarized the preliminary review and the recommendation. It appears that Greg Smith did not violate the conflict of interest provisions of ORS 244 as he did not use the CDA attorney for personal use and the Bank of Eastern Oregon was not a business with which he was associated.

Commissioner Thompson moved that the Commission dismiss the complaint against Greg Smith. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed 7-0.

Executive Session Item 2, 25-728ECF – Jeff Wenholz, Columbia Development Authority

Recommendation: Move to Dismiss

Investigator: Casey Fenstermaker

Respondent was not present. Investigator Fenstermaker summarized the preliminary review and the recommendation. It appears that Jeff Wenholz did not violate the conflict of interest provisions of ORS 244 as he did not use the CDA attorney for personal use and the Bank of Eastern Oregon was not a business with which he was associated.

Commissioner Thompson moved that the Commission dismiss the complaint against Jeff Wenholz. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed 7-0.

Executive Session Item 3, 25-730ECF – Joel Peterson, Columbia Development Authority

Recommendation: Move to investigate possible violations of ORS 244.060(3)

Recommendation: Move to Dismiss ORS 244.120(2) & ORS 244.040(1)

Investigator: Casey Fenstermaker

Respondent was not present. Investigator Fenstermaker summarized the preliminary review and the recommendations. As the Bank of Eastern Oregon is a business with which he is associated, Joel Peterson was met with potential conflicts of interest. It appears that Joel Peterson did adequately make disclosures of his potential conflicts of interest, as required by ORS 244.120(2)(a). Joel Peterson also did not use the CDA Attorney for personal legal advice and did not violate ORS 244.040. However, Fenstermaker noted that Peterson did not report the Bank of Eastern Oregon as a source of income on his 2025 Statement of Economic Interest.

Chair Payne confirmed with DOJ Counsel Brady that only one motion was required for the investigation of ORS 244.060(3) and the rest would be administratively dismissed.

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Joel Peterson may have violated ORS 244.060(3) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed 7-0.

Executive Session Item 4, 25-699EDP – Michelle Humble, Aviation Grant Review Committee

Recommendation: Move to Dismiss

Investigator: Daniel Pacheco

Respondent Michelle Humble was present via Teams. Investigator Pacheco summarized the complaint and recommendation. The Committee oversees a grant that benefits the Creswell Airport. It does not appear that Humble used her position to financially benefit her husband's business that uses the Creswell Airport. Humble addressed the Commission and stated the complainant is trying to weaponize agencies against the City of Creswell and harassing the city and its employees. Humble stated that the complaint process needs to be fixed as it is unfair for respondents.

Commissioners Resendiz-Gutierrez and Helt stated that they agree with the Respondent's statements. Commissioner Helt asked about free legal services for

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

respondents. Chair Payne and Director Myers stated they were unaware of legal services for administrative complaints and there is no requirement for attorneys. Director Myers stated that those with attorneys have just as much likelihood to have their case dismissed as those that do not have an attorney. Commissioner Helt asked if OGEAC has the recommendation or requirement of legal services in documentation. DOJ Counsel Brady advised that respondents do receive a notice that if and when a case moves to contested case it does provide them with the information for their rights to an attorney at that time.

Chair Payne stated that she is sympathetic to the stress that the process causes and doesn't want the agency to be weaponized. When complaints are received, complaints are treated the same unless they are not within OGEAC's jurisdiction. Commissioner Helt asked if notices could be sent to the Commission as well. Director Myers stated a sample notice could be sent to the Commissioners.

Commissioner Thompson moved that the Commission dismiss the complaint against Michelle Humble. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed 7-0.

Executive Session Item 5, 25-707EDP – Kyle Bushman, Airport Commission
Recommendation: Move to Investigate Possible Violations of ORS 244.040(1) & ORS 244.120(2)
Investigator: Daniel Pacheco

Respondent Kyle Bushman was present via Teams. Investigator Pacheco summarized the complaint and the recommendation. Bushman used parking tie-downs at the Airport. As a member of the Airport Commission, he was involved in the policy for Airport parking. It appears that he had a potential conflict of interest that he did not declare while discussing and voting on parking matters at the Airport.

Bushman addressed the Commission and identified his history and deep ties with the Creswell Airport. He stated that when he joined the Airport Commission, there was no education. He stated the Business Manager for the City wrote the policy and the Airport Commission was there to discuss it but did not vote on the policy. He explained the complainant is filing complaints against the city.

Commissioner Helt asked if the Airport Commission votes. Bushman stated that the Airport Commission does not vote. Commissioner Helt asked if there was a time to declare a conflict. Bushman stated that they did not know about conflicts so the agenda was not set up for declarations, so they are currently changing

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

their process. Commissioner Helt asked about the tie down process and fees and the procedure. Bushman stated the Airport Commission gets in a room with the Business Manager and talks about things in place, so that the Business Manager and City Council have their perspectives. He stated they are an Advisory Board.

Chair Payne asked in a situation where they are not voting but they are making recommendations, whether members are still required to make declarations. DOJ Counsel stated yes. Chair Payne stated that it sounds like almost all of the members would have a conflict. Director Myers stated it would appear that way, but the minimum vote requirement would allow them to still vote in that case. Bushman stated that the meetings have been run this way for years and is concerned that the Complainant will go back for years, based on today. Chair Payne advised there is a time limit on complaints for OGEC and advised the education is a primary mission of OGEC.

Commissioner Helt asked what would happen as it appears everyone has conflicts. Director Myers stated everything is fact-specific and would need to determine if it is actual or potential. If it is potential, a declaration is required but then discussions can occur. If it is actual, then a declaration is required and then some of the governing body would be able to vote, per the minimum vote requirement. Director Myers recommended training and contacting OGEC staff for additional support and guidance.

Commissioner McAuley moved that the Commission find there is a substantial, objective basis for believing that Kyle Bushman may have violated ORS 244.040(1) & ORS 244.120(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, nay; Helt, nay; McAuley, aye; Thompson, nay; Burke, nay; Payne, aye. Motion failed 3-4.

Payne explained that as the motion failed, the case is administratively dismissed. We still recommended additional training.

Executive Session Item 6, 25-708ECF – Matt Scarfo, Union County
Recommendation: Move to Investigate Possible Violations of ORS 244.040(1) and ORS 244.120(2)
Investigator: Casey Fenstermaker

Respondent Matt Scarfo was present via Teams. Investigator Fenstermaker summarized the case and the recommendation to move to investigation. Fenstermaker advised that Scarfo used the County Attorney to assist in legal

matters and voted on a matter, to file a petition for validation, without declaring his conflict of interest.

Scarfo addressed the Commission and stated he hopes the Commission will dismiss the complaint. He stated the Clerk asked about a term limit opinion in 2018 and it was that opinion that sparked the discussion. He stated that he did not use County Counsel for personal use.

Commissioner Thompson stated it appears there is a need for clarification on dates and times and that an investigation would help clear that up. Chair Payne stated that an investigation would be helpful to determine what happened with regards to declarations of conflicts and use of office.

Commissioner McAuley moved that the Commission find there is a substantial, objective basis for believing that Matt Scarfo may have violated ORS 244.040(1) and ORS 244.120(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 7-0.

Executive Session Item 7, 25-729EJS – Dann Cutter, City of Waldport

Recommendation: Move to Dismiss

Investigator: Josh Sullivan

Respondent Dann Cutter was not present. Investigator Sullivan summarized the case and the recommendation to dismiss. The complaint stated that Cutter used the City of Waldport's attorney for personal use with regards to a restraining order. Sullivan confirmed that his contract includes the use of legal services if the legal matter occurs with regards to his official duties.

Commissioner Thompson moved that the Commission dismiss the complaint against Dann Cutter. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed 7-0.

City of Waldport

Executive Session Item 8, 25-733XJS – Heide Lambert, City of Waldport

Executive Session Item 9, 25-741XJS – Michelle Severson, City of Waldport

Executive Session Item 10, 25-742XJS – Susan Woodruff, City of Waldport

Executive Session Item 11, 25-743XJS – Jayme Morris, City of Waldport

Executive Session Item 12, 25-744XJS – Richard Booth, City of Waldport

Executive Session Item 13, 25-745XJS – Gerald Townsend, City of Waldport

Executive Session Item 14, Gregory Dunn, City of Waldport

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

Recommendation: Move to Dismiss
Investigator: Josh Sullivan

Respondents were not present. Investigator Sullivan summarized the cases and recommendations to dismiss. Sullivan stated Lambert alleged that it appeared the City Council exceeded the scope of the executive session provisions. Sullivan stated the minutes of the executive session show that whenever Lambert strayed from the topic, the discussion was redirected back to the appropriate topic, thus the recommendation is to dismiss.

Commissioner Thompson moved that the Commission dismiss the complaints against Heide Lambert, Michelle Severson, Susan Woodruff, Jayme Morris, Richard Booth, Gerald Townsend, and Gregory Dunn. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-0.

Blue River Water District

Executive Session Item 15, 25-718PJS – Jim Parks, Blue River Water District

Executive Session Item 16, 25-719PJS – Shanon Goodpasture-Lehr, Blue River Water District

Executive Session Item 17, 25-720PJS – Antony Abel, Blue River Water District

Executive Session Item 18, 25-726PJS – Joshua Cloke, Blue River Water District

Recommendation: Move to Dismiss
Investigator: Josh Sullivan

Respondents were not present. Investigator Sullivan summarized the cases and the recommendations to dismiss. The complaint alleged violated Public Meetings Law by failing to properly notice meetings. Sullivan confirmed that the Board did not appear to hold meetings on the alleged days, thus the Board did not violate Public Meetings Law.

Commissioner Thompson moved that the Commission dismiss the complaints against Jim Parks, Shanon Goodpasture-Lehr, Antony Abel, and Joshua Cloke. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-0.

City of Shady Cove

Executive Session Item 22, 25-736PSM – Kathy Nuckles, City of Shady Cove

Executive Session Item 23, 25-737PSM – Jeffrey Vanier, City of Shady Cove

Recommendation: Move to Dismiss

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

Investigator: Casey Fenstermaker

Respondents were not present. Investigator Fenstermaker summarized the cases and the recommendation to dismiss. Fenstermaker advised that the two Councilors were not a part of the Council at the time of the meetings in question.

Commissioner Thompson moved that the Commission dismiss the complaints against Kathy Nuckles and Jeffrey Vanier. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-0.

City of Shady Cove

Executive Session Item 19, 25-727PSM – Lena Richardson, City of Shady Cove

Executive Session Item 20, 25-731PSM – Steve Mitchell, City of Shady Cove

Executive Session Item 21, Paige Winfrey, City of Shady Cove

Recommendation: Move to Investigate Possible Violations of ORS 192.660

Investigator: Casey Fenstermaker

Respondents Lena Richardson, Steve Mitchell, and Paige Winfrey were present via the telephone. Investigator Fenstermaker summarized the cases and the recommendations to move to investigation. Fenstermaker stated the complaint alleged the Council violated Public Meetings Law when a decision was made in executive session on October 15, 2025. There was a meeting held on October 15, 2025 where a consensus was made to put the City Manager on leave. The Council also received and reviewed resumes during the October 15 meeting. The City Manager received a call that night, along with the City Attorney. The City Manager picked up her things and dropped off her key the next day. This indicates that a decision was made on October 15, 2025 to put the City Manager on leave.

Respondent Richardson stated the Commission's report is wrong and that on October 15, 2025, they reviewed client/attorney confidential materials and a consensus was made. She stated she does not know why Ms. Winfrey asked for the City Manager's keys and phone on the morning of October 16, 2025.

Respondent Mitchell stated that he has been on the Council for 9 years. He stated he can't comment on the executive session on October 15, 2025. He stated there was no discussion when they received resumes of City Managers on October 15, 2025. He stated the statements by Winfrey are not correct.

Respondent Winfrey stated that she was surprised when they pulled out and discussed the resumes during the October 15 meeting. She stated that the Mayor stated during the meeting that she had gone over financials with the candidates already and she would not be offering more than the current City Manager. Winfrey stated she was asked to be the buffer between the City Manager and City Hall and she was told to meet the City Manager and pick up her things, which was arranged by the City Attorney. Winfrey stated her statement was factual and true and she made notes immediately afterwards because she felt so odd about it.

Commissioner Thompson stated there are some date issues and conflicting accounts to resolve and recommends moving forward. Chair Payne stated that she concurs. Commissioner Helt asked if it was allowed to discuss resumes under executive session. Fenstermaker explained that the provision cited was for client/attorney privilege. Resumes are not considered confidential client/attorney information. Investigator Fenstermaker stated that in investigation, she would seek to speak with the former City Manager and clarify the conflicting details.

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Lena Richardson may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 7-0.

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Steve Mitchell may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 7-0.

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Paige Winfrey may have violated ORS 192.660 and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, aye; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 7-0.

The Commission recessed for a break from 10:45 a.m. to 10:55 a.m.

Lincoln County Board of Commissioners

Executive Session Item 32, 25-710PCF – Claire Hall, Lincoln County

Executive Session Item 33, 25-711PCF – Casey Miller, Lincoln County

Executive Session Item 34, 25-712PCF – Walter Chuck, Lincoln County

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

Recommendation: Move to Dismiss
Investigator: Casey Fenstermaker

Respondents were not present. Investigator Fenstermaker summarized the cases and the recommendations to dismiss. Fenstermaker advised that an action taken to exclude a person from a meeting was from the acting County Administrator and not the Board of Commissioners. Thus, the Board of Commissioners did not violate Public Meetings Law or vote to exclude a person from the meeting.

Chair Payne and Director Myers discussed the impact of a letter sent from staff. Commissioner Helt asked about the death of Claire Hall and why the case was not automatically administratively closed. Fenstermaker explained statutory deadlines and that the recommendation to dismiss the case on its merits is to help provide the community closure. Chair Payne stated it is more appropriate to administratively dismiss the case on Claire Hall than to dismiss the case on its merits.

Commissioner Thompson moved that the Commission administratively dismiss the complaint against Claire Hall. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, abstain; Resendiz Gutierrez, aye; Payne, aye. Motion passed 6-0, 1 abstention.

Commissioner Thompson moved that the Commission dismiss the complaints against Casey Miller and Walter Chuck. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-0.

Lane Community College (LCC)

Executive Session Item 25, 25-700PCF – Julie Weismann, LCC

Recommendation: Move to Investigate Possible Violations of ORS 192.630(1) and ORS 192.630(2)

Respondent Weismann was present via Teams. Investigator Fenstermaker summarized the case and the recommendation to move to investigate as it appears the respondent was involved in serial communications. The Board Members were included in an email from the President of LCC that summarized multiple board meetings, which included a quorum, which indicates a possible violation of Public Meetings Law.

Commissioner Thompson asked a question about the email that included a statement about engaging in a dialogue of matters that would go in front of the Board, such as budget cuts. Fenstermaker stated additional information and research is needed regarding the possible dialogue and email communication.

Respondent Weismann stated that she did not realize the email communications were part of the alleged serial communications and alleged Public Meetings Law violations. She stated that the President had put together a presentation for the Board. She stated that the Chair had concerns about the email communications but did not raise those concerns to the Board. She stated that the President and the Chair had the authority to stop the process.

Staff explained to Weissman that she will be removed from the executive session and then re-added when it is time to vote on her matter.

Executive Session Item 29, 25-704PCF – Kevin Alltucker, LCC

Recommendation: Move to Investigate Possible Violations of ORS 192.630(1) and ORS 192.630(2)

Respondent Alltucker was present via Teams. Investigator Fenstermaker summarized the cases and the recommendations to move to investigation. Fenstermaker explained that the Board appears to have violated Public Meetings Law when they were involved in a serial communication via email when the President of LCC sent an email to a quorum of the Board Members that requested a dialogue on matters in front of the Board.

Alltucker addressed the Commission and stated that he would like to provide factual context. He stated the President offered meetings for the Board to gain budget information, none of which was new. He stated Chair Fölnagy filed a complaint about the meetings and then chose to attend one himself. He stated that Mulholland has previously been censured for comments towards the President and he is concerned that the cases against the Board may be considered retaliation against the President.

Commissioner Helt asked if the meetings were publicly noticed. Alltucker stated he was unsure. Commissioner Helt asked if there was a value in the meetings. Alltucker stated that he can only speak towards his meeting and that the information was previously received and he was interested because he wanted to see if the meeting would generate additional questions.

Staff explained to Alltucker that he will be removed from the executive session and then re-added when it is time to vote on his matter.

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

Commissioner Helt asked if someone is engaged in a serial meeting via email, how does one proceed and how does one opt out. DOJ Brady explained it depends on the content of the emails, how one responds, etc. and that it depends on an individual basis and that is for the Commission to determine each time.

Executive Session Item 24, 25-697PCF – Austin Fölnagy, LCC

Executive Session Item 26, 25-701PCF – Zachary Mulholland, LCC

Executive Session Item 27, 25-702PCF – Jerry Rust, LCC

Executive Session Item 28, 25-703PCF – Steve Mital, LCC

Executive Session Item 30, 25-705PCF – Jesse Maldonado, LCC

Recommendation: Move to Investigate Possible Violations of ORS 192.630(1) and ORS 192.630(2)

Investigator: Casey Fenstermaker

Respondents Austin Fölnagy, Zachary Mulholland, Jerry Rust, and Steve Mital were present via Teams. Respondent Jesse Maldonado was not present. Investigator Fenstermaker summarized the cases and the recommendation to move to investigate as it appears the Board may have violated Public Meetings Law by participating in a serial communication via email from the President to all board members (a quorum) encouraging dialogue.

Respondent Fölnagy addressed the Commission and stated that he has served on multiple community college boards. He stated that Lane is one of the largest Community Colleges in Oregon and the college provides Public Meetings Law trainings for the Board members. He stated that he has shared his concerns with the Board multiple times and was treated poorly by the Board after he filed his complaint, including being asked to retract the complaint. He stated that he recommends following the staff's recommendation.

Respondent Mulholland addressed the Commission and stated that he appreciates OGEK looking into the issue. He stated he has sent his concerns to Fölnagy, especially concerning cuts and changes in the budget.

Respondent Mital addressed the Commission and stated that he had concerns about the preliminary review report and his attendance at meetings. Mital noted that Investigator Fenstermaker noted that Mital was not at the meetings. Mital stated that he was not expecting to hear the Board Chair's concerns about how the Board was treating him after he filed the complaint. He stated that he was confused on the complaint originally and thought it was filed on the President, not the Board which is why the Board requested that Fölnagy retract his complaint.

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

Commissioner Helt asked Mital how he reacted to the email from the President. Mital stated he would have to go back and review his emails but does remember saying that he would like to get more information and like the opportunity. Commissioner Thompson stated that he has a lot of questions and would benefit greatly from additional information. He would like to flag the email from the President that mentions engaging in dialogue. Chair Payne echoed Commissioner Thompson's statements.

Respondent Rust addressed the Commission and stated that he was new to the Board and sent an email to the Board and President that he did not like how the Board was preceding. He stated that he cited a certain case (Handy) and he also witnessed poor treatment of the Board Chair when the Chair expressed his concerns.

Commissioner Helt stated that she was interested on how Board members responded to the President's email.

Executive Session Item 24, 25-697PCF – Austin Fölnagy, LCC

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Austin Fölnagy may have violated ORS 192.630(1) and ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, abstain; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 6-0,1 abstention.

Executive Session Item 26, 25-701PCF – Zachary Mulholland, LCC

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Zachary Mulholland may have violated ORS 192.630(1) and ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, abstain; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 6-0,1 abstention.

Executive Session Item 27, 25-702PCF – Jerry Rust, LCC

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Jerry Rust may have violated ORS 192.630(1) and ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, abstain; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 6-0,1 abstention.

Executive Session Item 28, 25-703PCF – Steve Mital, LCC

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Steve Mital may have violated ORS 192.630(1) and ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, abstain; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 6-0,1 abstention.

Executive Session Item 30, 25-705PCF – Jesse Maldonado, LCC

Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Jesse Maldonado may have violated ORS 192.630(1) and ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, abstain; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 6-0,1 abstention.

Executive Session Item 25, 25-700PCF – Julie Weismann, LCC

Respondent Julie Weismann rejoined the meeting and was present via Teams. Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Julie Weismann may have violated ORS 192.630(1) and ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, abstain; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 6-0,1 abstention.

Executive Session Item 29, 25-704PCF – Kevin Alltucker, LCC

Respondent Kevin Alltucker rejoined the meeting and was present via Teams. Commissioner Thompson moved that the Commission find there is a substantial, objective basis for believing that Kevin Alltucker may have violated ORS 192.630(1) and ORS 192.630(2) and that the Commission should investigate accordingly. Roll call was taken as follows: Resendiz Gutierrez, abstain; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 6-0,1 abstention.

Lane Community College (LCC)

Executive Session Item 31, 25-706PCF – Amelia Hampton, LCC

Recommendation: Move to Dismiss

Investigator: Casey Fenstermaker

Respondent was not present. Investigator Fenstermaker summarized the case and the recommendation to dismiss the complaint as the respondent is a student and based on LCC's policy does not count towards a quorum of the Board.

Commissioner Thompson moved that the Commission dismiss the case against Amelia Hampton. Roll call was taken as follows: Resendiz Gutierrez, abstain; Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Payne, aye. Motion passed. 6-0, 1 abstention.

Own Motion Preliminary Reviews

None.

Other Items

None.

Reconvene Regular Open Session

The Commission recessed for a break from 12:12 p.m. - 12:24 p.m.
The Commission adjourned the Executive Session at 12:24 p.m.

(File 3)

Reconvene Regular Open Session

The Commission reconvened Public Session at approximately 12:24 p.m.

CONSENT CALENDAR

Recommendation: Letters of Education

Lobbyist Penalty Correspondence

Public Session Item 4, Sybil Ackerman-Munson; 2025 Q4, \$50

Public Session Item 5, John Calhoun; 2025 Q4, \$40

Public Session Item 6, Harris Qureshi; 2025 Q4, \$30

Lobbyist Client Penalty Correspondence

Public Session Item 7, City of Milton-Freewater; 2025 Q4, \$50

Public Session Item 8, Oregon Mining Association; 2025 Q4, \$50

Statement of Economic Interest Penalty Correspondence

None.

Commissioner Thompson moved that the Commission approve the Consent Calendar as presented. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, no response; Payne, aye. Motion passed 6-0.

End of Consent Calendar

Lobbyist Penalty Reductions *Presented by Executive Director*

Public Session Item 9, Rory Steele; Rec: 2025 Q3, Letter of Education; 2025 Q4, \$35
Director Myers summarized the recommendation.

Commissioner Thompson moved that the Commission approve the recommended filing penalty reduction as presented. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, no response; Payne, aye. Motion passed 6-0.

Public Session Item 10, Turo Inc.; Rec: 2023 Q3, Letter of Education; 2025 Q4, \$15; 2024 Q3 \$1,500 reduction, \$3,500 penalty

Director Myers explained the staff recommendation and noted the reduction was \$1,500 but the recommended penalty amount was \$3,500.

Commissioner Thompson moved that the Commission approve the recommended filing penalty reduction as presented. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-0.

Statement of Economic Interest Penalty Reductions
None.

STIPULATED FINAL ORDERS – Consent Calendar **Recommendation:** Letter of Education

Public Session Item 11, 24-461XJS – Roak TenEyck, City of Umatilla
Public Session Item 12, 24-624XDP – Roak TenEyck, City of Umatilla
Public Session Item 13, 25-161EAM – Erin Kilcullen, Deschutes County Soil & Water Conservation District
Public Session Item 14, 25-425EJS – Archie Garrett, City of Bendon

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

Commissioner Thompson moved that the Commission approve the proposed Stipulated Final Orders on the consent calendar as the final orders in those cases and that the chairperson be authorized to sign them as such. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-0.

End of Consent Calendar

STIPULATED FINAL ORDERS

Civil Penalties

Public Session Item 15, 25-333EDP – Colin Vurek, Lane Community College
Recommendation: \$3,000 Penalty
Investigator: Daniel Pacheco

Respondent Colin Vurek was present via telephone. Investigator Pacheco summarized the case and the Stipulated Final Order. Pacheco stated that it appears that Vurek may have used her position for financial gain as a student had done labor on behalf of Vurek. Pacheco advised that Vurek has agreed to and signed the Stipulated Final Order and agreed to pay the penalty of \$3,000.

Commissioner Thompson moved that the Commission approve the proposed Stipulated Final Order as the final order and that the chairperson be authorized to sign it as such. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-0.

Public Session Item 16, 25-324EAM – Jamee Millard, Oregon Department of Forestry
Recommendation: \$1,000 Penalty
Investigator: Casey Fenstermaker

Respondent was not present. Investigator Fenstermaker summarized the case and the Stipulated Final Order. Fenstermaker stated that Millard utilized a state car for commuting purposes for approximately 30 days and has signed the Stipulated Final Order, agreeing to pay a penalty of \$1,000. Fenstermaker advised that the penalty is similar to that of other cases.

Commissioner Helt asked for clarification regarding OGEC's jurisdiction. Director Myers clarified that OGEC has jurisdiction over all 260,000 public officials for Oregon Ethics Law complaints.

Commissioner Thompson moved that the Commission approve the proposed Stipulated Final Order as the final order and that the chairperson be authorized to sign it as such. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-0.

DEFAULT FINAL ORDERS

Public Session Item 17, Removed from Agenda

Director Myers explained the matter was removed from the agenda due to an abundance of caution with a technical, procedure matter.

REPORTS OF INVESTIGATIONS – Consent Calendar

None.

REPORTS OF INVESTIGATIONS

Public Session Item 18, 25-465EJS – Karl Nulton, Three Sisters Irrigation District

Recommendation: Move to Dismiss

Investigator: Josh Sullivan

Respondent Karl Nulton was present via telephone. Investigator Sullivan summarized the case and the recommendation to dismiss. Sullivan stated that he was able to confirm that Karl Nulton did not request to keep his water on and that Karl Nulton paid all relevant penalties that the Irrigation District charged. Respondent Nulton stated that he appreciated the results and the recommendation.

Commissioner Thompson moved that the Commission dismiss the complaint against Karl Nulton. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, aye; Resendiz Gutierrez, aye; Payne, aye. Motion passed 7-0.

Public Session Item 19, 25-423PCF – Claire Hall, Lincoln County

Recommendation: Move to Administratively Close

Investigator: Casey Fenstermaker

Investigator Fenstermaker summarized the recommendation to administratively close the case due to Claire Hall's death. Commissioner Helt wanted to extend words of support and sympathy to friends and family of Claire Hall.

Commissioner Burke echoed those words of compassion but abstained from

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

voting on the matter.

Commissioner Thompson moved that the Commission administratively close the complaint against Claire Hall. Roll call was taken as follows: Metler, aye; Helt, aye; McAuley, aye; Thompson, aye; Burke, abstain; Resendiz Gutierrez, aye; Payne, aye. Motion passed 6-0, 1 abstention.

OPINIONS, ADVICE, AND CORRESPONDENCE

Advisory Opinions

Facilitated by Staff

None.

Staff Opinions

None.

Staff Advice – Informational Letters

Public Session Item 20, 26-008I – Sen. Janeen Sollman, Oregon Legislative Assembly

Re: Travel expenses under gift exception in ORS 244.020(7)(b)(F)

Public Session Item 21, 26-016I – Rep. Paul Evans, Oregon Legislative Assembly

Re: Private employment and prohibitions in ORS 244

Public Meetings Law Training Approval Letters

None.

Other Correspondence

None.

Miscellaneous Items

Facilitated by Staff

Public Session Item 22, Trainers' Report

Curriculum & Training Coordinator Stephanie Heffner summarized the training activities from the last trainer's report and provided additional information summarizing 2025 data.

Public Session Item 23, Executive Director's Report

Director Myers summarized agency activities from the last director's report. She thanked staff for stepping up while she was out sick.

These minutes contain materials which paraphrase and/or summarize statements made during this meeting. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the recordings at <https://www.oregon.gov/ogec/about-us/Pages/Meetings.aspx>

Director Myers explained the process for Public Meetings Law cases and how some public officials opt to hear their cases together and some choose to hear their cases separately.

Director Myers noted that there are several bills before the Legislature that impact OGEAC, and that we would send them the bills or a link to them. She noted that she has some concerns regarding HB 4177, the bill relating to the Public Meetings Laws.

Commissioner Helt asked why the Commission does not oppose bills, if the Commission is unhappy with those bills. Director Myers explained that an agency's stance is determined by the Governor's Office, but an agency can provide factual information on the effect of bills.

The Commission adjourned the meeting at approximately 1.p.m.

The next regularly scheduled Commission meeting will be March 6, 2026, at 3218 Pringle Road SE, Suite 220, Large Conference Room, Floor 2, Salem, Oregon 97302.